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Attorneys for Defendant
RSKCO SERVICES, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JULIA M. BACKMAN, individually)
and on Behalf of the ESTATE OF)
DANIEL VERNON BACKMAN, and)
as Next Friend to KELLY KEIKO)
VALENE BACKMAN and JODI)
LEIGH YACHIYO BACKMAN,)
Minors,)

Plaintiffs,)

vs.)

RSKCO SERVICES, INC., a Illinois)
corporation; JOHN DOES 1-10;)
JANE DOES 1-10; DOE)

CIVIL NO. 04-00348 KSC

ORDER TO SHOW CAUSE

Hearing:

Date: **September 8, 2008**

Time: **9:30 am**

Judge: **Magistrate Judge Kevin S.C.
Chang**

PARTNERSHIPS 1-10, DOE)
CORPORATIONS 1-10; DOE)
LIMITED LIABILITY)
ENTITIES 1-10; DOE "NON-)
PROFIT" CORPORATIONS 1-10;)
and DOE GOVERNMENTAL)
ENTITIES 1-10,)
)
Defendants.)
_____)

ORDER TO SHOW CAUSE

On March 21, 2006, Defendant RSKCO SERVICES, INC.

("Defendant"), and Plaintiff JULIA M. BACKMAN ("Ms. Backman"),
individually and as Next Friend to KELLY KEIKO VALENE BACKMAN
("Kelly") and JODI LEIGH YACHIYO BACKMAN ("Jodi") (collectively,
"Backman Children"), minors, agreed to a settlement of all claims in this case. The
settlement was placed on the record before the Honorable Kevin S.C. Chang.

A Settlement Agreement, Joint Tortfeasor Release and
Indemnification Agreement ("Settlement Agreement") was finalized and executed
by Ms. Backman on April 11, 2006.

On January 4, 2007, Defendant filed a Motion to Compel Compliance
With Settlement Agreement ("Motion # 1"). Motion # 1 came on for hearing on
February 2, 2007, before the Honorable Kevin S.C. Chang, Judge of the above-

entitled Court. Edquon Lee, Esq. appeared on behalf of Defendant and no appearance was made by Plaintiffs' counsel.

The Order granting Motion # 1 was filed on February 20, 2007. The Order directed Plaintiffs to comply with the Settlement Agreement and Plaintiffs' counsel was ordered to file a Petition to obtain the appropriate court approval of the settlement of the claims of minors, Kelly Keiko Backman and Jodi Yachiyo Backman, no later than March 2, 2007, and provide counsel and the Court with a filed-stamped copy of the Petition filed with the Probate Court of the First Circuit, State of Hawaii.

Plaintiffs filed their Petition for Appointment of Conservator and for Authority to Compromise Claim ("Petition") on March 23, 2007, C. No. 07-1-0032, Circuit Court of the First Circuit, State of Hawaii. According to the Hawaii State Judiciary Ho'ohiki system, the hearing on the Petition was held on September 21, 2007. The court orally granted the Petition with instructions that Plaintiffs' counsel, Robert Kawamura, was to prepare the order with terms that were stated on the record.

On March 19, 2008, Defendant filed a second Motion to Compel Compliance with Settlement Agreement and Request for Issuance of Order to Show Cause ("Motion # 2"). Motion # 2 came on for hearing on April 24, 2008, before the Honorable Kevin S.C. Chang, Judge of the above-entitled Court.

Edquon Lee, Esq. appeared on behalf of Defendant and no appearance was made by Plaintiffs' counsel.

The Order granting Motion # 1 was filed on April 25, 2008. The Order directed Plaintiffs to comply with the Settlement Agreement, and Plaintiffs' counsel and Plaintiffs were ordered to obtain the appropriate written court order approving of the settlement of the claims of minors Kelly Keiko Backman and Jodi Yachiyo Backman no later than May 8, 2008 and provide Defendant's counsel and the Court with a filed-stamped copy of said order filed with the Probate Court of the First Circuit, State of Hawaii. In the event Plaintiffs fail to comply with the deadline, an Order to Show Cause will be issued to Plaintiffs and their attorney. Defendant's counsel was permitted to send a copy of the Order granting Motion # 2 to Plaintiff Julia M. Backman.

As of July 7, 2008, Plaintiffs and their counsel have failed to provide a filed stamped copy of the appropriate written court order approving of the settlement of the claims of minors Kelly Keiko Backman and Jodi Yachiyo Backman to the Court and to Defendant's counsel in violation of the Order granting Motion # 2.

IT IS HEREBY ORDERED that an Order to Show Cause hearing shall be set for **September 8, 2008 at 9:30 a.m.** before the Honorable Kevin S.C. Chang. Plaintiff JULIA M. BACKMAN, whose last known address is

94-872 Lumiholoi Street, Waipahu, Hawaii 96797, and Plaintiffs' counsel, ROBERT D. KAWAMURA, whose last known address is 550 Halekauwila Street, Suite 107, Honolulu, Hawaii 96813, are both ordered to appear at said hearing to show cause why the Court should not find them in civil contempt for failing to comply with this Court's orders.

DATED: Honolulu, Hawaii, July 17, 2008.




Kevin S.C. Chang
United States Magistrate Judge